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_____, Attention: Examiner _____

Date: July 19, 2001 By: _____

Lois E. Miller

PATENT

Attorney Docket No.
DX0261K1Q

CN 028008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RONCAROLO, et al.

Serial No.: 09/718,102

Filed: November 20, 2000

For: **USE OF INTERLEUKIN-10 TO
PRODUCE A POPULATION OF
SUPPRESSOR CELLS**

Examiner: not assigned

Art Unit: not assigned

**USE OF PRIOR SEQUENCE SUBMISSION
UNDER 37 CFR §1.821(e)**

Palo Alto, California 94304

July 19, 2001

5 **BOX MISSING PARTS**
Assistant Commissioner for Patents
Washington, D.C. 20231

10 Sir:

15 In response to the Notice of Incomplete Reply (Nonprovisional), dated
June 29, 2001, attached please find a copy of the Sequence Submission submitted in the
parent application. The computer readable form in this application is equivalent to with that
filed in parent application USSN 08/643,810; filed May 6, 1996.

20 In accordance with 37 CFR 1.821(e), please use the computer readable form submitted in that
application on July 29, 1997, as the computer readable form for the instant application. It is
understood that the Patent and Trademark Office will make the necessary change in
application number and filing date for computer readable form that will be used for the instant
application.

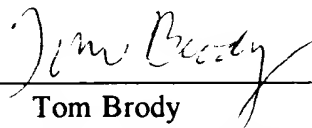
The attached copy of the Sequence Submission and Amendment was originally submitted to the patent office in the parent application, USSN 0643,810, in response to a "Notice to Comply", for incorporation into the specification, on July 29, 1997.

5

Respectfully submitted,

10 Dated: July 19, 2001

By: _____


Tom Brody
Agent for Applicants
Reg. No. 46,433

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Roncarolo

~~BALASUBRAMANIAN~~, et al, U.S.S.N.: 09/718,102
Filed: November 20, 2000

ACTION: _____
 ACTION: _____
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 DUE: _____



UNITED STATES DEPARTMENT OF COMMERCE
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CLASS NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
05/543,810	05/06/96	RONCAROLO	N DX0261K

18M1/0708

EXAMINER

CAPUTA, A

ART UNIT

PAPER NUMBER

1817 7

EDWIN P. CHING
 DNAX RESEARCH INSTITUTE
 901 CALIFORNIA AVENUE
 PALO ALTO CA 94304-1104

RECEIVED

DATE MAILED:

07/08/97

JUL 14 1997

Patent Department

SENT TO S-P
 DATE: JUL 18 1997

Response due 8/8/97

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents.

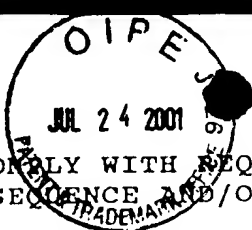
The communication filed 12/12/96 is not fully responsive to the communication mailed 10/8/96 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

Since the response appears to be *bona fide*, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a TIME LIMIT of ONE MONTH or THIRTY DAYS, whichever is longer, from the date of this letter or within the time remaining in the response period of the communication mailed 10/8/96, whichever is longer (37 CFR 1.135(c)).

No extension of this time limit may be granted under either 37 CFR 1.136(a) or (b), but the statutory period for response set in the communication mailed 10/8/96 may be extended up to a maximum of SIX (6) MONTHS under 37 CFR 1.136.

Any inquiry concerning this communication should be directed to Dr. Anthony C. Caputa, whose telephone number is 703-308-3995.

ANTHONY C. CAPUTA
 PRIMARY EXAMINER
 GROUP 1800



Application No. 08/643,810

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).

☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."

☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).

☒ 7. This application fails to provide the seq. as set forth in Fig 2
Other:

Applicant must provide:

☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"

☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification

☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123

For CRF submission help, call (703) 308-4212

For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.